

**ASSEMBLY BILL**

**No. 1979**

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**Introduced by Assembly Member Adams**

February 17, 2010

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An act to amend Section 1597.09 of the Health and Safety Code, relating to child day care.

LEGISLATIVE COUNSEL'S DIGEST

AB 1979, as introduced, Adams. Child day care centers: inspections.

Existing law, the California Child Day Care Facilities Act, subjects each licensed child day care center to unannounced visits by the State Department of Social Services and requires the department to visit these facilities as often as necessary to ensure the quality of care provided. The act also requires the department to conduct an annual unannounced visit to a licensed child day care center under specified circumstances, and no less often than once every five years.

This bill would require the department to make annual unannounced visits of all licensed child day care centers.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 1597.09 of the Health and Safety Code
- 2     is amended to read:
- 3     1597.09. ~~(a)~~—Each licensed child day care center shall be
- 4     subject to *an annual* unannounced ~~visits~~ *visit* by the department.
- 5     ~~The~~ *In addition, the* department shall visit these facilities as often
- 6     as necessary to ensure the quality of care ~~provided~~.

1     ~~(b) The department shall conduct an annual unannounced visit~~  
2     ~~to a licensed child day care center provided, as well as~~ under any  
3     of the following circumstances:

4     ~~(1)~~

5     ~~(a) When a license is on probation.~~

6     ~~(2)~~

7     ~~When the terms of agreement in a facility compliance plan~~  
8     ~~require an annual evaluation.~~

9     ~~(3)~~

10    ~~(b) When an accusation against a licensee is pending.~~

11    ~~(4)~~

12    ~~(c) In order to verify that a person who has been ordered out of~~  
13    ~~a child day care center by the department is no longer at the facility.~~

14    ~~(e) (1) The department shall conduct an annual unannounced~~  
15    ~~visit to no less than 20 percent of facilities not subject to an~~  
16    ~~evaluation under subdivision (b). These unannounced visits shall~~  
17    ~~be conducted based on a random sampling methodology developed~~  
18    ~~by the department.~~

19    ~~(2) If the total citations issued by the department exceed the~~  
20    ~~previous year's total by 10 percent, the following year the~~  
21    ~~department shall increase the random sample by 10 percent of~~  
22    ~~facilities not subject to an evaluation under subdivision (b). The~~  
23    ~~department may request additional resources to increase the random~~  
24    ~~sample by 10 percent.~~

25    ~~(d) Under no circumstance shall the department visit a licensed~~  
26    ~~child day care center less often than once every five years.~~